

**Department of Health Services
CEQA Compliance Guidelines
For
Water Supply Permit Applications**

Note: This guidance is not to be used for DHS funded projects.

Table of Contents

Key

Environmental Review Key -----	p.3
--------------------------------	-----

Flowcharts

Environmental Review Flowchart -----	p.7
--------------------------------------	-----

Integration of CEQA Process with Permit Process -----	p.8
---	-----

Worksheets

Environmental Review Key Worksheet -----	p.10
--	------

CEQA Exemption Worksheet -----	p.11
--------------------------------	------

Negative Declaration/Initial Study Worksheet -----	p.13
--	------

Notices

Notice of Exemption (Categorical) -----	p.15
---	------

Notice of Exemption (Statutory) -----	p.16
---------------------------------------	------

Notice of Determination -----	p.17
-------------------------------	------

Key

Environmental Review Key

1. **Are environmental effects impossible for the project associated with the permit application? (e.g., simple ownership or permit update for changes not subject to approval)**
 - 1.1. **If no, activity could have environmental effects, proceed to Step 2.**

The permit is subject to California Environmental Quality Act (CEQA) documentation and review.
 - 1.2. **If yes, environmental effects are impossible, stop here.** Additional environmental review is not necessary. In the findings for permit issuance, state that the project is not an activity subject to CEQA.
2. **Has a public agency, acting as or on behalf of the applicant, prepared or will it prepare CEQA or exemption documentation?**
 - 2.1. **If no, or uncertain,** have the applicant complete the DHS *Environmental Information Form* (EIF) found on the following website: http://www.dhs.ca.gov/ps/ddwem/SRF/environmental_review.htm and submit it along with a completed Environmental Clearance Request form (on the same site) to the Environmental Review Unit (ERU). Since the applicant is a private or mutual company, DHS will act as lead agency for CEQA compliance until otherwise notified. The ERU will do the review and provide documents, notices, and findings to the District Field Office before permit issuance. **Proceed to 2.2.1**
 - 2.1.1. **Did the ERU prepare an Initial Study and Environmental Document?**
 - 2.1.1.1. **If yes, skip to Step 6 for ERU CEQA findings**
 - 2.1.1.2. **If no, skip to Step 9 for ERU Exemption findings**
 - 2.2. **If yes, obtain all adopted/certified CEQA environmental documentation or exemption documentation and proceed to Step 3.**

If all final CEQA documentation is not available, inform the applicant that CEQA review must be completed before the permit application can be considered complete; do not proceed any further until all final CEQA environmental documentation has been obtained. If other documentation was prepared under NEPA, consult the Environmental Review Unit.
3. **Was an Environmental Impact Report (EIR) prepared for the project?**
 - 3.1. **If no** (other documentation was prepared), **proceed to Step 4.**
 - 3.2. **If yes,** obtain the public agency's certified Final EIR and resolution containing CEQA findings, and submit to the Environmental Review Unit with a completed *DHS Water Supply Permit Environmental Clearance Request Form* found on the following website http://www.dhs.ca.gov/ps/ddwem/SRF/environmental_review.htm. The Environmental Review Unit will review the EIR and prepare CEQA findings and conditions as required by CCR, Title 14, Sections 15091 and 15093. **Skip to Step 6.**

- 4. Was the project determined to be exempt from CEQA?** An exemption must be documented with a Notice of Exemption, exemption findings, preliminary review, or a *Worksheet for CEQA exemptions* found on the following website:
http://www.dhs.ca.gov/ps/ddwem/SRF/environmental_review.htm
- 4.1. If no, proceed to Step 5.**
- 4.2. If yes, can DHS exempt all components of the project under the same class(es) or statute(s) used by the public agency according to the Exemption Worksheet (page 11)?**
- 4.2.1. If no, consult the Environmental Review Unit for Instructions**
- 4.2.2. If yes, determine the regulatory citation(s) of the exemption from the Exemption Worksheet. Skip to Step 9.**
- 5. Was a Negative Declaration/Initial Study prepared for the project?**
- 5.1. If no, consult the Environmental Review Unit for instructions.**
- 5.2. If yes, does the Negative Declaration/Initial Study Worksheet (page 13) indicate that the documentation is adequate?** The document is inadequate if there are any blanks or “no” answers on the worksheet. The applicant may submit additional documentation to make the Negative Declaration/Initial Study adequate.
- 5.2.1. If no, consult the Environmental Review Unit for instructions.**
- 5.2.2. If yes, proceed to Step 6.** If all worksheet items are answered with “yes”, sign and file the worksheet, noting the CEQA finding.

6. Certification and CEQA Findings

Certify in the findings for permit issuance that the information contained in the environmental document (include State Clearinghouse number) was reviewed and considered by DHS [as required by CCR, Title 14, Section 15050 (b)] and include CEQA findings (see following example). The Environmental Review Unit will provide language in cases where documentation was sent to the unit.
Example: *DHS certifies that it has reviewed and considered the information contained in the Mitigated Negative Declaration (SCH# 2001030042) adopted by the Hangtown Water District and finds that the project will not result in any significant impacts.*

Proceed to Step 7.

7. Conditions of Permit Issuance

In some cases the permit may need conditions to avoid significant environmental impacts. In cases where documentation was sent the Environmental Review Unit, the unit will provide those conditions; otherwise the following permit condition can be used when there are mitigation measures: *“(The applicant) is required to implement the mitigation program identified in the environmental document prepared for this project.”* **Proceed to Step 8.**

8. Notice of Determination Prepared by DHS

Within 5 working days after the permit is issued, prepare and file a Notice of Determination (page 17) with the State Clearinghouse pursuant to CCR, Title 14, Sections 15096 (i), and/or 15075 or 15094 regardless if one has previously been filed by another public agency. The address is: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044. The phone number is (916) 445-0613 and the fax number is (916) 323-3018 (call before faxing a notice). The notice can be filed directly from the District Field Office without informing the Environmental Review Unit, as long as a copy of the notice is kept in the District's files. In cases where documentation was sent the Environmental Review Unit, the unit will provide the Notice of Determination for the District to file. On the notice, be sure to insert the permit number and date of issuance, and indicate if mitigation measures were adopted for the project. **END**

9. Exemption Findings and Notice

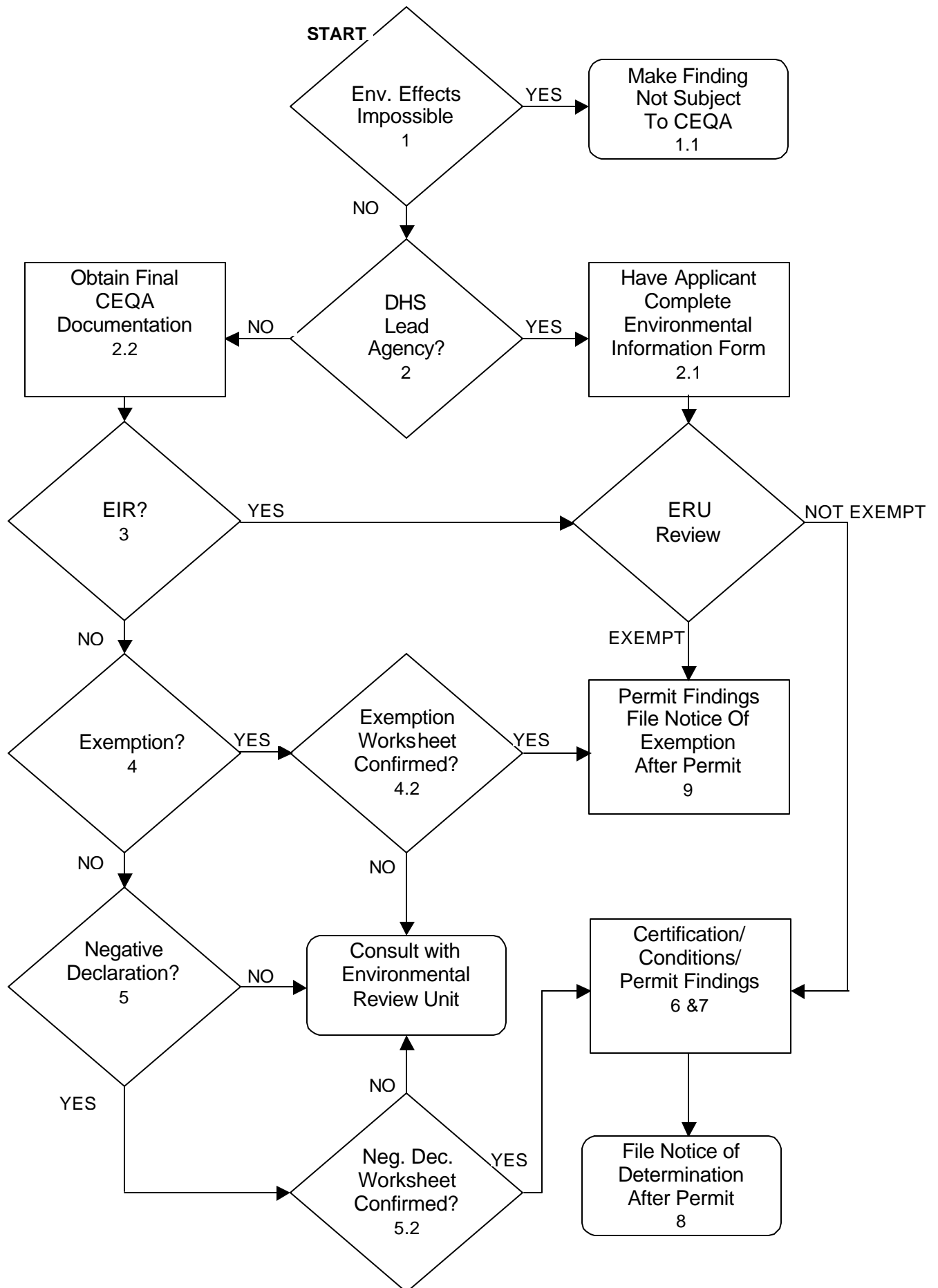
In the findings for permit issuance, state that DHS has determined that the proposed project is exempt from the California Environmental Quality Act and give the selected regulatory citation(s) derived from the Exemption Worksheet or provided by the Environmental Review Unit.

Example: DHS has determined that the project is exempt from the California Environmental Quality Act pursuant to CCR, Title 14, Sec 15301 and Title 22, Section 60101 (a).

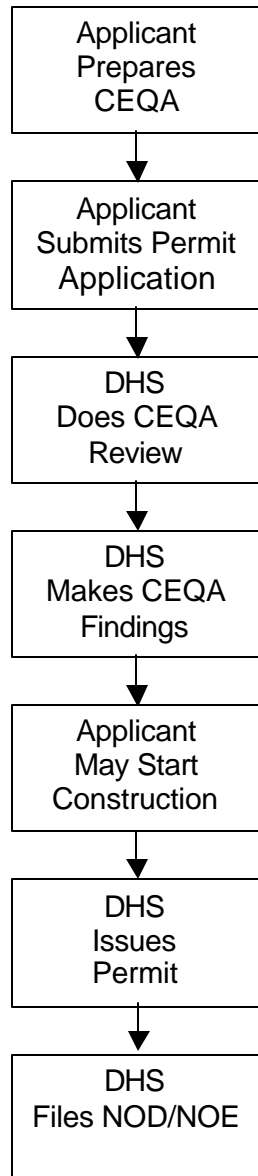
Prepare a Notice of Exemption [categorical (page 15) or statutory (page 16)] using the regulatory citation(s) derived from the Exemption Worksheet to select the appropriate box under Categorical/Statutory Exemption Status. In cases where documentation was sent the Environmental Review Unit, the unit will provide the notice. After the permit is issued, file the notice with the State Clearinghouse pursuant to CCR, Title 14, Section 15062 (c)(1), regardless if one has previously been filed by another public agency. The address is: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044. The phone number is (916) 445-0613 and the fax number is (916) 323-3018 (call before faxing a notice). The notice can be filed directly from the District Field Office without informing the Environmental Review Unit, provided that a copy of the notice is kept in the District's files. On the Notice, be sure to insert the permit number and date of issuance. **END**

Flow Charts

Environmental Review Flowchart



Integration of CEQA Process with Permit Process



Worksheets

Environmental Review Key Worksheet

1. Are environmental effects impossible for the project associated with the permit application?
☐ No (environmental effects are possible), proceed to Step 2.
☐ Yes (environmental effects impossible), make finding - stop here.
2. Has a public agency, acting as or on behalf of the applicant, prepared or will it prepare CEQA documentation or exemption documentation?
☐ No, or uncertain, send EIF to ERU & skip to Step 6 (Step 9 if exempt).
☐ Yes, obtain all final CEQA environmental documentation or exemption documentation, and proceed to Step 3.
3. Was an EIR prepared for the project?
☐ No, proceed to Step 4.
☐ Yes, send EIR to ERU. When ERU provides findings, skip to Step 6.
4. Was the project determined to be exempt from CEQA?
☐ No, proceed to Step 5.
☐ If yes, can DHS exempt all components of the project under the same class(es) or statute(s) used by the public agency according to the Exemption Worksheet?
☐ No, consult with ERU for Instructions.
☐ Yes, determine the regulatory citation(s) of the exemption from the Exemption Worksheet. Skip to Step 9.
5. Was a Negative Declaration/Initial Study prepared for the project?
☐ No, consult with ERU for Instructions.
☐ Yes. Does the Negative Declaration/Initial Study Worksheet indicate that the documentation is adequate?
☐ No, consult with ERU for Instructions.
☐ Yes, proceed to Step 6.
6. ☐ Include Certification and Findings in Permit Findings – Proceed to Step 7
7. ☐ Include Any Conditions of Permit Issuance - Proceed to Step 8.
8. ☐ File a Notice of Determination with State Clearinghouse (SCH) - end
9. ☐ Include exemption findings in Permit Findings and file a Notice of Exemption with SCH - end.

**Department of Health Services Water Supply Permit Application
CEQA Exemption Worksheet**

(a) Class 1: Existing Facilities

Regulatory Citation: "CCR, Title 14, Section 15301 and Title 22, Section 60101 (a)"

(1) Addition, deletion, or modification of:

- ☐ Mechanical controls for:
 - * ☐ Water treatment units
 - * ☐ Water supply systems
 - * ☐ Pump station buildings
- ☐ Electrical controls for:
 - * ☐ Water treatment units
 - * ☐ Water supply systems
 - * ☐ Pump station buildings
- ☐ Hydraulic controls for:
 - * ☐ Water treatment units
 - * ☐ Water supply systems
 - * ☐ Pump station buildings

(2) Maintenance, repair, replacement, or reconstruction to any water treatment process units, including:

- ☐ Structures
- ☐ Filters
- ☐ Pumps
- ☐ Chlorinators

(b) Class 2: Replacement or Reconstruction

Regulatory Citation: "CCR, Title 14, Section 15302 and Title 22, Section 60101 (b)"

(1) Repair or replacement of:

- ☐ Water service connections
- ☐ Meters
- ☐ Valves for:
 - * ☐ Backflow prevention
 - * ☐ Air release
 - * ☐ Pressure regulation
 - * ☐ Shut-off
 - * ☐ Blow-off
 - * ☐ Flushing

(2) Replacement or reconstruction of:

- ☐ Existing water supply distribution lines of substantially the same size. Describe any size increase: _____

- ☐ Storage tanks and reservoirs of substantially the same size. Describe any size increase: _____

(3) Replacement or reconstruction of:

- ☐ Water wells of substantially the same capacity. Describe any capacity increase: _____
- ☐ Pump stations and related appurtenances of substantially the same capacity. Describe any capacity increase: _____

(c) Class 3: New Construction of Small Structures

Regulatory Citation "CCR, Title 14, Section 15303 and Title 22, Section 60101 (c)"

- (1) ☐ Construction of water supply and distribution lines of less than sixteen inches in diameter, and related appurtenances.
- (2) ☐ Construction of any water storage tanks and reservoirs of less than 100,000-gallon capacity.

(d) Class 4: Minor Alterations to land.

Regulatory Citation "CCR, Title 14, Section 15304 and Title 22, Section 60101 (d)"

- (1) ☐ Minor alterations to land, water or vegetation on any officially existing designated wildlife management areas or fish production facilities for the purpose of reducing the environmental potential for nuisances or vector production.
- (2) ☐ Any minor alterations to highway crossing for water supply and distribution lines.

CCR, Title 14 (CEQA Guidelines) Statutory Exemptions

- ☐ Declared emergency
Regulatory Citation: "CCR, Title 14, Section 15269 (a)"
- ☐ Emergency (sudden and unexpected) repairs
Regulatory Citation: "CCR, Title 14, Section 15269 (b)"
- ☐ Emergency (sudden and unexpected) prevention/mitigation
Regulatory Citation: "CCR, Title 14, Section 15269 (c)"
- ☐ Right of way pipelines of less than one mile
Regulatory Citation: "CCR, Title 14, Section 15282 (l)"
- ☐ Water fluoridation facilities
Regulatory Citation: "CCR, Title 14, Section 15282 (n)"

Signature: _____ Date: _____

Name: _____

Title: _____

Department of Health Services Water Supply Permit
Negative Declaration/Initial Study Worksheet

Yes No N.A.

- ☐ ☐ The Negative Declaration has been circulated through the State Clearinghouse and was assigned the following State Clearinghouse number _____.
[CCR, Title 14, Section 15073(d) and 15205(b)(2)]
- ☐ ☐ The Initial Study contains a project description that is up-to-date and consistent with the project as identified in the permit application. . [CCR, Title 14, Sections 15063(d)(1), 15162, 15163, 15164]
- ☐ ☐ The Initial Study contains a section for the “Environmental Setting,” or “Surrounding Land uses and Setting,” or otherwise provides an identification of the environmental setting. [CCR, Title 14, Section 15063(d)(2)]
- ☐ ☐ ☐ The Initial Study provides an explanation or reference to an explanation for all checklist item responses (if a checklist was used for the Initial Study).
[CCR, Title 14, Section 15063(d)(3)]
- ☐ ☐ ☐ Prior to public review, the applicant has revised or agreed to revise project plans, or has made specific proposals (not just proposals for studies or compliance with regulations) or agreed to such proposals to prevent any potentially significant impacts identified in the Initial Study from occurring (use of the words “should” or “may” do not indicate agreement). [CCR, Title 14, Section 15070(b)(1)]
- ☐ ☐ All the above boxes are checked “Yes” or Not Applicable (N.A.); therefore, the following finding will be incorporated into the permit findings: *“DHS has determined that the project will not result in any significant impacts.”*

Signature: _____ Date: _____

Name: _____

Title: _____

Notices

Notice of Exemption
(Categorical)

To: Office of Planning and Research **From:** Department of Health Services
P.O. Box 3044 _____ District
Sacramento, CA 95812-3044 _____

Project Title:

Project Location:

City:

County:

Description and Purpose of Project:

Public Agency Approving Project and Carrying out project:

Categorical Exemption Status:

- ☐ Class 1 (CCR, Title 14, Sec 15301 and Title 22, Section 60101 (a))
- ☐ Class 2 (CCR, Title 14, Sec 15302 and Title 22, Section 60101 (b))
- ☐ Class 3 (CCR, Title 14, Sec 15303 and Title 22, Section 60101 (c))
- ☐ Class 4 (CCR, Title 14, Sec 15304 and Title 22, Section 60101 (d))

This is to advise that the Department of Health Services has issued a water supply permit (permit number _____, for the above described project on _____, and has determined that the project is exempt from the California Environmental Quality Act.

Contact Person:

Signature _____ Date _____

Name: _____ Title: _____

Date received for filing with Governor's Office of Planning and Research: _____

Notice of Exemption
(Statutory)

To: Office of Planning and Research **From:** Department of Health Services
P.O. Box 3044 _____ District
Sacramento, CA 95812-3044 _____

Project Title:

Project Location:

City:

County:

Description and Purpose of Project:

Public Agency Approving Project and Carrying out project:

Statutory Exemption Status:

- ☐ Declared emergency (CCR, Title 14, Sec 15269 (a))
- ☐ Emergency repairs (CCR, Title 14, Sec 15269 (b))
- ☐ Emergency prevention/mitigation (CCR, Title 14, Sec 15269 (c))
- ☐ Right of way pipelines of less than one mile (CCR, Title 14, Sec 15282 (l))
- ☐ Water fluoridation facilities (CCR, Title 14, Sec 15282 (n))
- ☐ Other _____

This is to advise that the Department of Health Services has issued a water supply permit (permit number _____), for the above described project on _____, and has determined that the project is exempt from the California Environmental Quality Act.

Contact Person:

Signature _____ Date _____

Name: _____ Title: _____

Date received for filing with Governor's Office of Planning and Research: _____

NOTICE OF DETERMINATION

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: Ca. Dept. of Health Services
_____ District

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

PROJECT TITLE:

SCH#:

LEAD AGENCY:

CONTACT PERSON:

PHONE NUMBER:

PROJECT LOCATION:

PROJECT DESCRIPTION:

This is to advise that the California Department of Health Services has issued a water supply permit (number _____) for the above described project on _____, and has made the following determinations regarding the project:

1. The project will have no significant effects on the environment.
2. A (Mitigated) Negative Declaration was prepared for this project by _____.
3. Mitigation measures (were) (were not) made a condition of the issuance of the permit.
4. A Statement of Overriding Considerations was not adopted for this project.

This is to certify that the (Mitigated) Negative Declaration and record of permit issuance for the project are available to the General Public at the Division of Drinking Water and Environmental Management at the above address.

The Department of Health Services is a "Responsible Agency" not a "Lead Agency" for this project and, as such, is not responsible for Department of Fish and Game filing fees.

Signature: _____ Date: _____

Name: _____ Title: _____

DATE RECEIVED FOR FILING AND POSTING AT OPR: _____